Daily Digest

HIGHLIGHTS

Senate passed S. 1—Prescription Drug and Medicare Improvement Act.

House Committee ordered reported the Defense and Legislative appropriations for fiscal year 2004.

House Committees ordered reported 11 sundry measures.

House passed H.R. 1, Medicare Prescription Drug, Modernization, Health Savings and Affordability Act.

House passed H.R. 2559, Military Construction Appropriations Act.

House passed H.R. 2417, Intelligence Authorization Act.

Senate

Chamber Action

Routine Proceedings, pages \$8605-\$8817

Measures Introduced: Thirty-one bills and six resolutions were introduced as follows: S. 11, S. 1338–1367, S. Res. 187–190, and S. Con. Res. 56–57.

Pages S8725–26

Measures Reported:

- S. 1025, to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, with amendments. (S. Rept. No. 108–80)
- S. 1356, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004. (S. Rept. No. 108–81)
- S. 1357, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004. (S. Rept. No. 108–82)
- S. 888, to reauthorize the Museum and Library Services Act. (S. Rept. No. 108–83)
- S. Res. 62, calling upon the Organization of American States (OAS) Inter-American Commission on Human Rights, the United Nations High Commissioner for Human Rights, the European Union, and human rights activists throughout the world to

take certain actions in regard to the human rights situation in Cuba.

- S. Res. 138, to amend rule XXII of the Standing Rules of the Senate relating to the consideration of nominations requiring the advice and consent of the Senate.
- S. Res. 149, expressing the sense of the Senate that the international response to the current need for food in the Horn of Africa remains inadequate, and with an amended preamble.
- S. Res. 174, designating Thursday, November 20, 2003, as "Feed America Thursday".
- S. Res. 175, designating the month of October 2003, as "Family History Month".
- S. Res. 178, to prohibit Members of the Senate and other persons from removing art and historic objects from the Senate wing of the Capitol and Senate office buildings for personal use.
- S. 148, to provide for the Secretary of Homeland Security to be included in the line of Presidential succession.

 Page S8722

Measures Passed:

State Children's Health Insurance Program Amend Act: Senate passed S. 312, to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program, after agreeing to the following amendment proposed thereto:

Pages S8633–35

Grassley Amendment No. 1113, to make a technical correction. Pages S8633-35

Prescription Drug and Medicare Improvement Act: By yeas to nays (Vote No. 262), Senate passed S. 1, to amend title XVIII of the Social Security Act to make improvements in the Medicare program, to provide prescription drug coverage under the Medicare program, after agreeing to the committee amendment in the nature of a substitute, and after taking action on the following amendments proposed thereto: Pages S8605–33, S8635–78, S8679–85, S8686–S8701 Adopted:

Baucus (for Cantwell) Modified Amendment No. 942, to prohibit an eligible entity offering a Medicare Prescription Drug plan, a MedicareAdvantage Organization offering a MedicareAdvantage plan, and other health plans from contracting with a pharmacy benefit manager (PBM) unless the PBM satisfies certain requirements.

Pages \$8606, \$8612-17

By 97 yeas to 1 nay (Vote No. 249), McConnell Amendment No. 1097, to protect seniors who are diagnosed with cancer from high prescription drug costs.

Pages \$8621-22

By 69 yeas to 29 nays (Vote No. 251), Bingaman/Domenici Modified Amendment No. 1065, to update, beginning in 2009, the asset or resource test used for purposes of determining the eligibility of low-income beneficiaries for premium and cost-sharing subsidies.

Pages \$8606, \$8622-23

Nelson (FL) Amendment No. 936, to provide for an extension of the demonstration for ESRD managed care.

Page S8606

Nelson (FL) Amendment No. 938, to provide for a study and report on the propagation of concierge care.

Page S8606

Thomas/Lincoln Modified Amendment No. 988, to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program.

Page S8606

Baucus (for Snowe) Amendment No. 1027, to express the sense of the Senate regarding the implementation of the Prescription Drug and Medicare Improvement Act of 2003.

Page S8633

Baucus (for Murkowski/Stevens) Amendment No. 1041, to require the Secretary of Health and Human Services to conduct a frontier extended stay clinic demonstration project.

Pages S8633, S8687

Subsequently, the adoption of Amendment No. 1041 (listed above) was vitiated. Page S8633

By a unanimous vote of 98 yeas (Vote No. 252), McConnell Amendment No. 1102, to protect seniors who are diagnosed with Alzheimer's disease from high prescription drug costs. Pages S8624, S8635–36 Subsequently, the amendment was modified.

socquency, one unionament was mounted.

Page S8635

By 71 yeas to 26 nays (Vote No. 255), Grassley/Baucus Modified Amendment No. 1092, to evaluate alternative payment and delivery systems.

Pages S8606, S8610-12, S8618-21, S8637-38

Grassley (for Bond) Amendment No. 1014, to include pharmacy services in the study relating to outpatient pharmacy therapy reimbursements.

Page S8614

Baucus (for Dodd) Amendment No. 1015, to provide for a study on making prescription pharmaceutical information accessible for blind and visually-impaired individuals.

Page S8647

Grassley (for Hatch) Amendment No. 1059, to direct the Secretary of Health and Human Services to conduct a review and report on current standards of practice for pharmacy services provided to patients in nursing facilities.

Page S8647

Grassley (for Hatch/Wyden) Amendment No. 1106, to establish a Citizens Health Care Working Group to facilitate public debate about how to improve the health care system for Americans and to provide for hearings by Congress on the recommendations that are derived from this debate.

Page S8647

Grassley (for Murkowski) Amendment No. 1086, to ensure that pharmacies operated by the Indian Health Service and Indian health programs are included in the network of pharmacies established by entities and organizations under part D. Page S8647

Baucus (for Mikulski) Modified Amendment No. 1033, to extend certain municipal health service demonstration projects. Page S8644

Baucus (for Lincoln) Modified Amendment No. 1067, to provide coverage for kidney disease education services under the Medicare program.

Pages S8644-47

Lincoln Amendment No. 959, to establish a demonstration project for direct access to physical therapy services under the Medicare program. Page S8606

Lincoln Amendment No. 935, to clarify the intent of Congress regarding an exception to the initial residency period for geriatric residency or fellowship programs.

Page S8606

Reid (for Jeffords) Amendment No. 1038, to improve the critical access hospital program. Page S8606

Reid (for Johnson/Cochran) Amendment No. 1095, to provide for a 1-year medication therapy management assessment program. Pages \$8617-18

Grassley (for Murkowski/Stevens) Amendment No. 1096, to require the Secretary of Health and Human Services to conduct a frontier extended stay clinic demonstration project.

Page S8681

Grassley (for Brownback/Nelson (NE)) Amendment No. 1122, to provide for improvements in access to services in rural hospitals and critical access hospitals.

Page S8681

Grassley (for Coleman) Amendment No. 1074, to amend title XVIII of the Social Security Act to make improvements in the national coverage determination process to respond to changes in technology.

Page S8681

Grassley (for Collins) Amendment No. 1023, to provide for the establishment of a demonstration project to clarify the definition of homebound.

Pages S8681-82

Grassley (for Kyl) Amendment No. 1114, to require the GAO to study the impact of price controls on pharmaceuticals.

Page S8682

Grassley (for Kyl) Amendment No. 1115, to express the sense of the Senate concerning Medicare payments to physicians and other health professionals.

Page S8681

Grassley (for Chambliss) Amendment No. 1045, to provide for a demonstration project for the exclusion of brachytherapy devices from the prospective payment system for outpatient hospital services.

Pages S8682-83

Grassley (for Craig) Amendment No. 1058, to restore the Federal Hospital Insurance Trust Fund to the financial position it would have been in if a clerical bookkeeping error had not occurred. Page S8681

Grassley (for Baucus) Amendment No. 1117, to establish the Safety Net Organizations and Patient Advisory Commission.

Page S8681

Grassley (for Bayh) Amendment No. 1044, to adjust the urban health provider payment. Page S8683

Grassley (for Shelby) Amendment No. 1056, to prevent the Secretary of Health and Human Services from modifying the treatment of certain long-term care hospitals as subsection (d) hospitals. Page S8681

Grassley (for Murray) Modified Amendment No. 961, to make improvements in the Medicare-Advantage benchmark determinations. Page S8681

Grassley (for Bond/Roberts) Amendment No. 1013, to ensure that patients are receiving safe and accurate dosages of compounded drugs. Page S8681

Grassley (for Kyl) Amendment No. 1121, to express the sense of the Senate concerning the structure of Medicare reform and the prescription drug benefit to ensure Medicare's long-term solvency and high quality of care.

Pages \$8683-84

Grassley (for Collins) Modified No. 989, to increase Medicare payments for home health services furnished in a rural area. Pages S8681, S8684

Grassley (for Dole/Edwards) Amendment No. 1126, to provide for the treatment of certain entities for purposes of payments under the Medicare program.

Page S8681

Grassley (for Reed) Amendment No. 996, to modify the GAO study of geographic differences in payments for physicians' services relating to the work geographic practice cost index.

Page S8684

Grassley (for Specter) Amendment No. 1118, to express the sense of the Senate regarding the establishment of a nationwide permanent lifestyle modification program for Medicare beneficiaries.

Pages S8653-54, S8684

Grassley (for Specter) Amendment No. 1085, to express the sense of the Senate regarding payment reductions under the Medicare physician fee schedule.

Pages \$8652-53, \$8685

Allard/Feingold Amendment No. 1017, to provide for temporary suspension of OASIS requirement for collection of data on non-Medicare and non-Medicaid patients.

Pages \$8608-09

Baucus (for Harkin) Amendment No. 968, to restore reimbursement for total body orthotic management for nonambulatory, severely disabled nursing home residents.

Page S8606

Graham (SC) Modified Amendment No. 948, to provide for the establishment of a National Bipartisan Commission on Medicare Reform. Page S8606

Dayton Modified Amendment No. 960, to require a streamlining of the Medicare regulations.

Pages S8606, S8680, S8685

Baucus (for Feingold) Amendment No. 1054, to establish an Office of the Medicare Beneficiary Advocate.

Page S8612

Enzi Amendment No. 1030, to encourage the availability of MedicareAdvantagebenefits in medically underserved areas.

Page S8606

Grassley Amendment No. 1133, to provide for a managers' amendment. Pages S8686–87

Rejected:

Harkin Modified Amendment No. 991, to establish a demonstration project under the Medicaid program to encourage the provision of community-based services to individuals with disabilities. (By 50 yeas to 48 nays (Vote No. 247), Senate tabled the amendment.)

Pages \$8606-09

By 39 yeas to 59 nays (Vote No. 248), Edwards/ Harkin Amendment No. 1052, to strengthen protections for consumers against misleading direct-to-consumer drug advertising. Pages \$8606, \$8609-10

Reid (for Boxer) Amendment No. 1036, to eliminate the coverage gap forindividuals with cancer. (By 55 yeas to 44 nays (Vote No. 250), Senate tabled the amendment.)

Pages S8606, S8622

Durbin Amendment No. 1108, to provide additional assistance for certain eligible beneficiaries under part D. (By 57 yeas to 41 nays (Vote No. 253), Senate tabled the amendment.)

Pages S8630-32, S8636-37

By 39 yeas to 59 nays (Vote No. 254), Dorgan/Pryor Amendment No. 1103 (toAmendment No. 1092), to reduce aggregate beneficiary obligations by \$2,400,000,000 per year beginning in 2009.

Pages S8625-30, S8637

By 33 yeas to 65 nays (Vote No. 256), Sessions Amendment No. 1011, to express the sense of the Senate that the Committee on Finance should hold hearings regarding permitting States to provide health benefits to legal immigrants under Medicaid and SCHIP as part of thereauthorization of the temporary assistance for needy families program.

Pages S8606, S8642, S8644, S8647

By 47 yeas to 51 nays (Vote No. 257), Rockefeller Modified Amendment No. 975, to make all Medicare beneficiaries eligible for Medicare prescription drug coverage. Pages S8606, S8639-41, S8644, S8647-48

By 43 yeas to 55 nays (Vote No. 258), Bingaman Amendment No. 1066, to permit the establishment of 2 new Medigap plans for Medicare beneficiaries enrolled for prescription drug coverage under part D.

Pages S8606, S8641-42, S8648

By 42 yeas to 54 nays (Vote No. 259), Baucus (for Levin) Amendment No. 1111, to ensure that current retirees who have prescription drug coverage who will lose their prescription drug coverage as a result of the enactment of this legislation have the option of drug coverage under the Medicare fallback.

Pages S8632, S8660-63, S8674

By 21 yeas to 75 nays (Vote No. 260), Hagel/Ensign Modified Amendment No. 1026, to provide Medicare beneficiaries with a drug discount card that ensures access to affordable prescription drugs.

Pages S8606 S8663-75

Baucus (for Feinstein) Modified Amendment No. 1060, to provide for an income-relatedincrease in the part B premium for individuals with income in excess of \$75,000 and marriedcouples with income in excess of \$150,000. (By 38 yeas to 59 nays (Vote No. 261), Senateearlier failed to table the amendment.)

Pages \$8606, \$8675-78, \$8680

Withdrawn:

Kyl Amendment No. 1093 (to Amendment No. 1092), in the nature of a substitute.

Pages S8606, S8624

Grassley (for Craig) Amendment No. 1087, topermit the offering of consumer-driven health plans under MedicareAdvantage.

Pages S8606, S8651-52

Santorum Amendment No. 1132, to allow eligible beneficiaries in MedicareAdvantageplans to elect zero premium, stop-loss drug coverage protection.

Pages S8679-80

Kerry Amendment No. 958, to increase the availability of discounted prescription drugs.

Pages S8606, S8687

Lincoln Modified Amendment No. 934, to ensure coverage for syringes for theadministration of insulin, and necessary medical supplies associated with the administration of of the syringes S8606 S8687

Baucus (for Jeffords) Amendment No. 964, to include coverage for tobacco cessationproducts.

Pages S8606, S8687

Baucus (for Jeffords) Amendment No. 965, to establish a Council for Technology and Innovation.

Pages S8606, S8687

Akaka Amendment No. 980, toexpand assistance with coverage for legalimmigrants under the Medicaid program and SCHIP to include citizens of the Freely AssociatedStates.

Pages S8606, S8687

Akaka Amendment No. 979, to ensure that current prescription drug benefits to Medicare-eligible enrollees in the Federal Employees Health Benefits Program will not bediminished. Pages S8606, S8687

Bingaman Amendment No. 973, to amend title XVIII of the Social Security Act toprovide for the authorization of reimbursement for all Medicare part B services furnished bycertain Indian hospitals and clinics.

Pages S8606, S8687

Baucus (for Lautenberg) Amendment No. 986, to make prescription drug coverageavailable beginning on July 1, 2004. Page S8606

Murray Amendment No. 990, to make improvements in the MedicareAdvantagebenchmark determinations.

Pages \$8606, \$8680, \$8687

Dayton Amendment No. 977, to require that benefits be made available under part D on January 1, 2004. Page S8687

Baucus (for Dorgan) Amendment No. 993, to amend title XVIII of the Social Security Act to provide for coverage of cardiovascular screening tests under the Medicare program.

Pages S8606, S8687

Smith/Bingaman Amendment No. 962, to provide reimbursement for Federally qualified health centers participating in Medicare managed care.

Pages S8606, S8687

Hutchison Amendment No. 1004, to amend title XVIII of the Social Security Act tofreeze the indirect medical education adjustment percentage under the Medicare program at 6.5 percent. Pages S8606, S8687

Conrad Amendment No. 1019, toprovide for coverage of self-injected biologicalsunder part B of the Medicare program until Medicare Prescription Drug plans are available.

Pages S8606, S8687

Conrad Amendment No. 1020, to permanently and fully equalize the standardized payment rate beginning in fiscal year 2004. Pages S8606, S8687

Conrad Amendment No. 1021, toaddress Medicare payment inequities. Pages S8606, S8687

Clinton Amendment No. 999, to provide for the development of quality indicators for the priority areas of the Institute of Medicine, for the standardization of quality indicators for Federalagencies, and for the establishment of a demonstration program for the reporting of health carequality data at the community level.

Pages S8606, S8687

Clinton Amendment No. 953, toprovide training to long-term care ombudsman. Pages S8606, S8687

Clinton Amendment No. 954, to require the Secretary of Health and Human Services todevelop literacy standards for informational materials, particularly drug information.

Pages S8606, S8687

Reid (for Corzine) Modified Amendment No. 1037, toprovide conforming changesregarding federally qualified health centers. Pages S8606, S8632

Reid (for Inouye) Amendment No. 1039, to amend title XIX of the Social Security Act toprovide 100 percent reimbursement for medical assistance provided to a Native Hawaiianthrough a Federally-qualified health center or a Native Hawaiian health care system.

Page S8606

Enzi/Lincoln Amendment No. 1051, toensure convenient access to pharmacies and prohibit the tying of contracts.

Pages S8606, S8687

Hagel/Ensign Amendment No. 1012, to provide Medicare beneficiaries with an additionalchoice of Medicare Prescription Drug plans under part D that consists of a drug discount cardand protection against high out-of-pocket drug costs.

Pages S8606, S8687

Baucus (for Akaka) Amendment No. 1061, to provide for treatment of Hawaii as a low-DSH State for purposes of determining a Medicaid DSH allotment for the State for fiscal years 2004 and 2005.

Pages S8606, S8687

Stabenow/Levin Amendment No. 1075, to permanently extend a moratorium on thetreatment of a certain facility as an institution for mental diseases.

Pages S8606, S8687

Stabenow/Levin Amendment No. 1076, toprovide for the treatment of payments tocertain comprehensive cancer centers.

Pages S8606, S8687

Stabenow/Levin Amendment No. 1077, to provide for the redistribution of unusedresident positions.

Pages S8606, S8687

Ensign/Lincoln Amendment No. 1024, to amend title XVIII of the Social Security Act torepeal the Medicare outpatient rehabilitation therapy caps.

Pages S8606, S8687

Smith/Feingold Amendment No. 1073, to allow the Secretary to include in the definition of 'specialized Medicare+Choice plans for special needs beneficiaries' plans that disproportionately serve such special needs beneficiaries or frail, elderly Medicare beneficiaries. Pages S8606, S8687

Baucus (for Mikulski) Amendment No. 1088, to provide equitable treatment for children's hospitals.

Pages S8606, S8687

Baucus (for Mikulski) Amendment No. 1089, to provide equitable treatment for certain children's hospitals.

Pages S8606, S8687

Baucus (for Mikulski) Amendment No. 1090, to permit direct payment under the Medicare program for clinical social worker services provided to residents of skilled nursing facilities. Pages S8606, S8687

Baucus (for Mikulski) Amendment No. 1091, to extend certain municipal health service demonstration projects.

Pages S8606, S8687

Baucus (for Levin) Amendment No. 1110, to ensure that beneficiaries initially covered by a private insurer under this act who are subsequently covered by a Medicare fallback plan have the option of retaining a Medicare fallback plan. Pages S8632, S8687

Baucus (for Murkowski/Stevens) Amendment No. 1041, to require the Secretary of Health and Human Services to conduct a frontier extended stay clinic demonstration project.

Page S8687

A unanimous-consent agreement was reached providing that following passage of S. 1 (listed above), the bill be held at the desk, and when the Senate receives H.R. 1, House companion measure, all after the enacting clause be stricken and the text of S. 1 be inserted in lieu thereof; Senate insisted on its amendment, request a conference with the House thereon, and the Chair be authorized to appoint conference on the part of the Senate; providing further, passage of S. 1 be vitiated and the bill be returned to the Senate Calendar.

Page S8811

Check Truncation Act: Senate passed H.R. 1474, to facilitate check truncation by authorizing substitute checks, to foster innovation in the check collection system without mandating receipt of checks in electronic form, and to improve the overall efficiency of the Nation's payments system, after striking all after the enacting clause and inserting the text of S. 1334, Senate companion measure.

Pages S8811-15

Subsequently, S. 1334 was returned to the Senate Calendar. Page S8811

Commending August Hiebert: Senate agreed to S. Res. 186, commending August Hiebert for his service to the Alaska Communications Industry.

Pages S8815-16

Rhodes Scholarships: Senate agreed to S. Res. 187, expressing the sense of the Senate regarding the centenary of the Rhodes Scholarships in the United States and the establishment of the Mandela Rhodes Foundation.

Pages \$8815-16

Honoring Maynard Holbrook Jackson, Jr.: Senate agreed to S. Res. 188, honoring Maynard Holbook Jackson, Jr., former Mayor of the City of Atlanta, and extending the condolences of the Senate on his death.

Pages S8815–16

Commending General Eric Shinseki: Senate agreed to S. Res. 190, commending General Eric

Shinseki of the United States Army for his outstanding service and commitment to excellence.

Pages S8815-16

Adjournment Resolution—Agreement: A unanimous-consent agreement was reached providing that when the Senate receives an adjournment resolution from the House, it be agreed to, providing that the text is identical to the resolution being held at the desk.

Page S8816

Nominations Confirmed: Senate confirmed the following nominations:

Joshua B. Bolten, of the District of Columbia, to be Director of the Office of Management and Budget. Page S8817

Nominations Received: Senate received the following nominations:

Rick A. Dearborn, of Oklahoma, to be an Assistant Secretary of Energy (Congressional and Intergovernmental Affairs).

Scott J. Bloch, of Kansas, to be Special Counsel, Office of Special Counsel, for the term of five years.

Penrose C. Albright, of Virginia, to be an Assistant Secretary of Homeland Security. (New Position)

Rene Acosta, of Virginia, to be an Assistant Attorney General

Routine lists in the Army. Page S8817

Messages From the House: Pages \$8719-20

Measures Referred: Page S8720

Measures Placed on Calendar: Page S8720

Measures Read First Time: Page \$8720

Executive Communications: Pages \$8720-22

Executive Reports of Committees: Pages \$8722-25

Additional Cosponsors: Pages \$8726-29

Statements on Introduced Bills/Resolutions:

Pages S8729-65

Additional Statements: Pages \$8716-19

Amendments Submitted: Pages S8765-S8810

Authority for Committees To Meet:

Pages S8810-11

Record Votes: Sixteen record votes were taken today. (Total—262)

Pages S8609-10 S8622-23, S8636-38, S8647-48, S8674-75, S8686, S8707

Adjournment: Senate met at 9:15 a.m., and adjourned at 1:15 a.m. on Friday, June 27, 2003, until 10:15 a.m., on the same day. (For Senate's program, see the remarks of the Majority Leader in today's Record on page \$8817.)

Committee Meetings

(Committees not listed did not meet)

HEALTHY FORESTS RESTORATION ACT

Committee on Agriculture, Nutrition, and Forestry: Committee concluded hearings to examine H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, after receiving testimony from Senator McCain; Mark Rey, Under Secretary of Agriculture for Natural Resources and the Environment; Lynn Scarlett, Assistant Secretary of the Interior for Policy, Management, and Budget; Michael Carroll, Minnesota State Forester, St. Paul, on behalf of the National Association of State Foresters; Frederick M. Stephen, University of Arkansas, Fayetteville, on behalf of the Society of American Foresters; Tom Nelson, Sierra Pacific Industries, Redding, California, on behalf of the American Forest and Paper Association; Jacquellin L. McAvoy, City Council, Post Falls, Idaho, on behalf of the Idaho Women in Timber; Michael Petersen, The Lands Council, Spokane, Washington; Norman L. Christensen, Jr., Duke University Nicholas School of the Environment and Earth Sciences, Durham, North Carolina; Hal Salwasser, Oregon State University Department of Forest Resources, Corvallis; Donald J. Kochan, George Mason University School of Law, Arlington, Virginia; and Patrick Parenteau, Vermont Law School, South Royalton.

APPROPRIATIONS—LABOR/HHS/ EDUCATION AND MILITARY CONSTRUCTION

Committee on Appropriations: Committee ordered favorably reported the following business bills:

An original bill (S. 1356) making appropriations for the Departments of Labor, Health and Human Services, and Education and related agencies for the fiscal year ending September 30, 2004; and

An original bill (S. 1357) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004.

FAIR CREDIT REPORTING ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings to examine affiliate sharing practices in relation to the Fair Credit Reporting Act, focusing on privacy protections, security risks and threats to the credit reporting system, retail credit card programs, and merchandise returns, after receiving testimony from Vermont Assistant Attorney General Julie Brill, Montpelier; Joel R. Reidenberg, Fordham University School of Law, and Martin Wong, Citigroup, Inc., both of New York, New York; Ronald A. Prill, Target Financial Services, Minneapolis, Minnesota, on behalf of the National Retail Federation; Edmund Mierzwinski, U.S. Public Interest Research Group, Washington, D.C.; Terry Baloun, Wells Fargo Bank, Sioux Falls, South Dakota; and Angela Maynard, Keycorp, Cleveland, Ohio.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following business items:

S. 1264, to reauthorize the Federal Communications Commission, with amendments;

H.R. 1320, to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users, with an amendment;

An original bill to authorize funds for highway safety programs, motor carrier safety programs, hazardous materials transportation safety programs, and boating safety programs;

- S. 1262, to authorize appropriations for fiscal years 2004, 2005, and 2006 for certain maritime programs of the Department of Transportation, with amendments; and
- S. 1218, to provide for Presidential support and coordination of interagency ocean science programs and development and coordination of a comprehensive and integrated United States research and monitoring program, with an amendment in the nature of a substitute.

NOMINATIONS:

Committee on Finance: Committee concluded hearings to examine the nominations of Josette Sheeran Shiner, of Virginia, to be a Deputy United States Trade Representative, with the rank of Ambassador, and James J. Jochum, of Virginia, to be an Assistant Secretary of Commerce, after each nominee testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S. Res. 90, expressing the sense of the Senate that the Senate strongly supports the nonproliferation programs of the United States, with an amendment;

- S. Res. 62, calling upon the Organization of American States (OAS) Inter-American Commission on Human Rights, the United Nations High Commissioner for Human Rights, the European Union, and human rights activists throughout the world to take certain actions in regard to the human rights situation in Cuba;
- S. Res. 149, expressing the sense of the Senate that the international response to the current need for food in the Horn of Africa remains inadequate, with an amendment; and

The nominations of Robert W. Fitts, of New Hampshire, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu, Marsha E. Barnes, of Maryland, to be Ambassador to the Republic of Suriname, John E. Herbst, of Virginia, to be Ambassador to Ukraine, Tracey Ann Jacobson, of the District of Columbia, to be Ambassador to Turkmenistan, George A. Krol, of New Jersey, to be Ambassador to the Republic of Belarus, John F. Maisto, of Pennsylvania, to be Permanent Representative of the United States of America to the Organization of American States, with the rank of Ambassador, Greta N. Morris, of California, to be Ambassador to the Republic of the Marshall Islands, Roger Francisco Noriega, of Kansas, to be an Assistant Secretary of State (Western Hemisphere Affairs), William B. Wood, of New York, to be Ambassador to the Republic of Colombia, and certain Foreign Service Officer promotion lists.

INTERNATIONAL PARENTAL ABDUCTION

Committee on Foreign Relations: Committee concluded hearings to examine the Department of State's Office of Children's Issues, focusing on responding to international parental abduction, after receiving testimony from Senator Lincoln; and Maura Harty, Assistant Secretary of State, Bureau of Consular Affairs.

NOMINATIONS:

Committee on Governmental Affairs: Committee ordered favorably reported the nominations of Judith Nan Macaluso, to be an Associate Judge of the Superior Court of the District of Columbia; Fern Flanagan Saddler, to be an Associate Judge of the Superior Court of the District of Columbia; and Joshua B. Bolten, of the District of Columbia, to be Director of the Office of Management and Budget.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following business items:

S. 281, to amend the Transportation Equity Act for the 21st Century to make certain amendments with respect to Indian tribes, to provide for training

and technical assistance to Native Americans who are interested in commercial vehicle driving careers, with an amendment in the nature of a substitute; and

The nominations of Lisa Genevieve Nason, of Alaska, Georgianna E. Ignace, of Wisconsin, John Richard Grimes, of Massachusetts, each to be a Member of the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development, and Charles W. Grim, of Oklahoma, to be Director of the Indian Health Service, Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

- S. Res. 174, designating Thursday, November 20, 2003, as "Feed America Thursday";
- S. Res. 175, designating the month of October 2003, as "Family History Month"; and

The nominations of Diane M. Stuart, of Utah, to be Director of the Violence Against Women Office, Department of Justice; and Thomas M. Hardiman, to be United States District Judge for the Western District of Pennsylvania.

Also, committee resumed markup of S. 1125, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, but did not complete action thereon, and recessed subject to call.

GROWING WAHHABI INFLUENCE

Committee on the Judiciary: Subcommittee on Terrorism, Technology, and Homeland Security concluded hearings to examine the ideological structure of Wahhabism, an extreme and violent form of Islam, and its potential for political and social influence in the United States, after receiving testimony from David Aufhauser, General Counsel, Department of the Treasury; Larry A. Mefford, Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice; and Alex Alexiev, Center for Security Policy, and Stephen Schwartz, Foundation for Defense of Democracies, both of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 68 public bills, H.R. 2607–2656; and; 18 resolutions, H.J. Res. 62; H. Con. Res., 231–239 and H. Res. 300–307, were introduced.

Additional Cosponsors:

Pages H6264-65

Reports Filed: Reports were filed today as follows: H.R. 438, to increase the amount of student loans that may be forgiven for teachers in mathematics, science, and special education, amended (H. Rept. 108–182);

H.R. 2211, to reauthorize title II of the Higher Education Act of 1965, amended (H. Rept. 108–183);

H.R. 2210, to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, amended (H. Rept. 108–184); and

H.R. 74, to direct the Secretary of Agriculture to convey certain land in the lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California (H. Rept. 108–185).

Page H6261

Guest Chaplain: The prayer was offered by the guest Chaplain, Rabbi Milton Balkany, Dean, Bais Yaakov of Brooklyn, New York.

Page H5941

Journal: Agreed to the Speaker's approval of the Journal of June 25 by yea-and-nay vote of 357 yeas to 68 nays, Roll No. 327.

Page H5941

Intelligence Authorization Act for FY 2004: The House passed H.R. 2417, to authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System by yea-and-nay vote of 410 yeas to 9 nays, Roll No. 333. The House completed general debate and began considering amendments to the bill on June 25.

Pages H5943-46, H6256-57

Agreed To:

Hastings of Florida amendment No. 4 printed in H. Rept. 108–176, debated on June 25, that directs the Director of Central Intelligence to establish a pilot project to improve recruitment of ethnic and cultural minorities and women with diverse skills and language abilities (agreed to by recorded vote of 418 ayes with none voting "no", Roll No. 318;

Pages H5943-44

Rejected:

Kucinich amendment No. 5 printed in H. Rept. 108–176, debated on June 25, that sought to direct the Inspector General of the Central Intelligence

Agency to conduct an audit of all communications between the CIA and the Office of the Vice President that relate to weapons of mass destruction obtained or developed by Iraq (rejected by recorded vote of 76 ayes to 347 noes, Roll No. 319); and

Pages H5944-45

Lee amendment No. 6 printed in H. Rept. 108–176, debated on June 25, that sought to require a GAO study on intelligence sharing by the Department of Defense and intelligence community with United Nations inspectors searching for weapons of mass destruction (rejected by recorded vote of 185 ayes to 239, Roll No. 320. Pages H5945–46

H. Res. 295, the rule that provided for consideration of the bill was agreed to on June 25.

Page H5946

Recess: The House recessed at 11:48 a.m. and reconvened at 12:53 p.m. **Pages H5951–52**

Motions to Suspend the Rules on Wednesdays During the Remainder of the One Hundred Eighth Congress: The House agreed to H. Res. 297, providing for motions to suspend the rules by recorded vote of 226 ayes to 203 noes, Roll No. 323.

Pages H5946–51, H5973–74

Late Report: The Committee on Appropriations received permission to have until midnight to file a privileged report making appropriations for the Legislative Branch for the fiscal year ending September 30, 2004.

Page H5979

Military Construction Appropriations Act: The House passed H.R. 2559, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2004 by yea-and-nay vote of 428 yeas with none voting "nay", Roll No. 325.

Pages H5974–90

Rejected the Obey motion to recommit the bill to the Committee on Appropriations. Earlier, a point of order was sustained against another Obey motion that sought to recommit the bill to the Committee on Appropriations with instructions to report it back forthwith with an amendment that increases funding for various programs including fitness facilities, family housing, and barracks.

Page H5986

Point of order was sustained against the Obey amendment that sought to reinstate funding for various programs including fitness facilities, family housing, and barracks.

Pages H5989–90

Earlier, the House agreed to H. Res. 298, the rule that provided for consideration of the bill by voice vote. Agreed to order the previous question by yea-and-nay vote of 220 yeas to 200 nays, Roll No. 324.

Pages H5978-79

Suspension—Support for Freedom in Hong Kong: The House agreed to suspend the rules and agree to H. Res. 277, expressing support for freedom in Hong Kong (agreed to by 2/3 yea-and-nay vote of 426 yeas to 1 nay, Roll No. 326). The motion was debated on June 25.

Pages H5990–91

Order of Business—DoD Appropriations: Agreed that it be in order on Tuesday, July 8, for the Speaker, as though pursuant to clause 2(b) of rule 18, to declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of a bill reported pursuant to section 6 of H. Res. 299, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, which shall proceed according to the following order: the first reading shall be dispensed with; all points of order against consideration of the bill are waived; general debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; after general debate the bill shall be considered for amendment under the five-minute rule; points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived; during consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. Page H5992

State Children's Health Insurance Program (SCHIP) Allotments: The House passed H.R. 531, to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program (SCHIP) by unanimous consent.

Pages H6006-07

Medicare Prescription Drug, Modernization, Health Savings and Affordability Act: The House passed H.R. 1, to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program and to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed

to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements by 216 ayes to 215 noes with 1 voting "present," Roll No. 332.

Pages H6007-H6105, H6107-H6256

Pursuant to Section 3 of the rule in the engrossment of H.R. 1, the Clerk shall add the text of H.R. 2596, as passed by the House as a new matter at the end of H.R. 1, conform the title of H.R. 1 to reflect the addition of the text of H.R. 2596 to the engrossment, and then lay H.R. 2596 on the table.

Page H6256

Rejected the Thompson of California motion to recommit the bill jointly to the Committee on Ways and Means and the Committee on Energy and Commerce with instructions to report the same back to the House promptly with amendments in the nature of a substitute that establish the Prescription Drug and Medicare Improvement Act. By recorded vote of 208 ayes to 223 noes, Roll No. 331.

Pages H6181-H6255

Rejected the Rangel amendment in the nature of a substitute numbered 1 printed in H. Rept. 108–181 that sought to provide prescription drug coverage for all Medicare beneficiaries, enhance Medicare+Choice plans, includes payments for oncology providers and related cancer drug therapy programs; improve rural health delivery; and implement various provisions dealing with Medicare Parts A and B, Medicaid, regulatory reduction and the reimportation of prescription drugs by recorded vote of 176 ayes to 255 noes with 1 voting "present", Roll No. 330.

H. Res. 299, the rule that providing for consideration of both H.R. 1, Medicare Prescription Drug and Modernization Act, and H.R. 2596, Health Savings and Affordability Act was agreed to by recorded vote of 221 ayes to 203 noes, Roll No. 322. Earlier agreed to order the previous question by yea-and-nay vote of 226 yeas to 203 nays, Roll No. 321.

Pages H5972-73

Health Savings and Affordability Act: The House passed H.R. 2596, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements by yea-and-nay vote of 237 yeas to 191 nays, Roll No. 328.

Pages H5952-73, H5992-H6006

Section 3 of H. Res. 299, the rule providing for consideration of the bill, provides that in the engrossment of H.R. 1, the clerk shall add the text of H.R. 2596, as passed by the House as a new matter

at the end of H.R. 1, and then lay H.R. 2596 on the table.

Page H6256

Independence Day District Work Period: The House agreed to H. Con. Res. 231, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

Page H6257

Senate Concurrence in Adjournment Resolution: Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Tuesday, July 1, 2003, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 231, in which case the House shall stand adjourned pursuant to that concurrent resolution. Page H6257

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, July 9.

Page H6257

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia to act as Speaker pro tempore to sign enrolled bills and joint resolutions through Monday, July 7.

Page H6257

Senate Messages: Messages received from the Senate today appear on pages H5941, and H5992.

Referrals: S. 163 was referred to the Committees on Education and the Workforce and Resources, S. 498 was referred to the Committee on Financial Services, S. 867 was referred to the Committee on Government Reform, and S. 1207 and S. 312 were held at the desk.

Page H6258

Call of the House: On the Call of the House, 421 members reported their presence, Roll No. 329.

Page H6178

Quorum Calls—Votes: One quorum call, Roll No. 329, eight yea-and-nay votes and seven recorded votes developed during the proceedings of the House today and appear on pages H5944, H5944–45, H5945–46, H5972–73, H5973, H5973–74, H5978–79, H5990, H5990–91, H5991–92, H6006, H6178, H6181, H6255, H6255–56, and H6256–57. There were no quorum calls.

Adjournment: The House met at 10 a.m. and at 2:47 a.m. on Friday, June 27, pursuant to the provisions of H. Con. Res. 231, the House stands adjourned until 2 p.m. on Tuesday, July 1, 2003, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 231, in which case the House shall stand adjourned pursuant to that concurrent resolution until 2 p.m. on Monday, July 7.

Committee Meetings

MANDATORY COUNTRY OF ORIGIN LABELING LAW REVIEW

Committee on Agriculture: Held a hearing to review the mandatory country of origin labeling law. Testimony was heard from the following officials of the USDA: Charles Lambert, Deputy Under Secretary, Marketing and Regulatory Programs; Nancy Bryson, General Counsel; and Keith Collins, Chief Economist; and public witnesses.

DEFENSE AND LEGISLATIVE APPROPRIATIONS

Committee on Appropriations: Ordered reported the following appropriations for fiscal year 2004: Defense and Legislative.

FOREIGN RELATIONS AUTHORIZATION ACT

Committee on Armed Services: Ordered reported, as amended, H.R. 1950, Foreign Relations Authorization Act, Fiscal Years 2004 and 2005.

FINANCIAL MAINSTREAM—BROADEN ACCESS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled "Serving the Underserved: Initiatives to Broaden Access to the Financial Mainstream." Testimony was heard from Wayne Abernathy, Assistant Secretary, Financial Institutions, Department of the Treasury; Dennis Dollar, Chairman, National Credit Union Administration; and public witnesses.

COMPETITIVE SOURCING FOR 21ST CENTURY

Committee on Government Reform: Held a hearing titled "New Century, New Process: A Preview of Competitive Sourcing for the 21st Century." Testimony was heard from David M. Walker, Comptroller, GAO; Angela Styles, Director, Office of Federal Procurement Policy, OMB; Philip Grone, Principal Assistant Deputy Under Secretary, Installations and Environment, Department of Defense; Scott J. Cameron, Deputy Assistant Secretary, Performance and Management, Department of the Interior; and public witnesses.

ASIA AND THE PACIFIC—U.S. SECURITY POLICY

Committee on International Relations: Subcommittee on East Asia and the Pacific held a hearing on U.S. Security Policy in Asia and the Pacific: Restructuring America's Forward Deployment. Testimony was heard from the following officials of the Department of Defense: Peter Rodman, Assistant Secretary, International Security Affairs; and Adm. Thomas B.

Fargo, USN, Commander, U.S. Pacific Command; and Christopher LaFleur, Special Envoy, Northeast Asia Security Consultations, Bureau of East Asian and Pacific Affairs, Department of State.

AMERICAN SERVICEMEMBERS' PROTECTION ACT AMENDMENTS

Committee on International Relations: Subcommittee on Europe approved for full Committee action H.R. 2550, to amend the American Servicemembers' Protection Act of 2002 to provide clarification with respect to the eligibility of certain countries for United States miliary assistance.

HOMETOWN HEROES SURVIVORS BENEFITS

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on H.R. 919, Hometown Heroes Survivors Benefits. Testimony was heard from Michael E. Williams, Jr., Fire Rescue Training Specialist, Office of the State Fire Marshall, Department of Insurance, State of North Carolina; and public witnesses.

OVERSIGHT—CONSULAR IDENTIFICATION CARDS

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing on "The Federal Government's Response to the Issuance and Acceptance in the U.S. of Consular Identification Cards." Testimony was heard from Roberta S. Jacobson, Acting Deputy Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; Steven McCraw, Assistant Director, Office of Intelligence, FBI, Department of Justice; C. Stewart Verdery, Assistant Secretary, Policy and Planning, Border and Transportation Security Directorate, Department of Homeland Security; and a public witness.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on the following bills: H.R. 1204, to amend the National Wildlife Refuge System Administration Act of 1966 to establish requirements for the award of concessions in the National Wildlife Refuge System, to provide for maintenance and repair of properties located in the System by concessionaires authorized to use such properties; and H.R. 2408, National Wildlife Refuge Volunteer Act of 2003. Testimony was heard from Marshall P. Jones, Jr. Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; and public witnesses.

NASA FLEXIBILITY ACT

Committee on Science: Subcommittee on Space and Aeronautics approved for full Committee action, as amended, H.R. 1085, NASA Flexibility Act of 2003.

COMPUTER RESERVATION SYSTEMS REGULATIONS AND SMALL BUSINESS— TRAVEL INDUSTRY

Committee on Small Business: Subcommittee on Regulatory Reform and Oversight held a hearing entitled: "CRS Regulations and Small Business in the Travel Industry" Testimony was heard from Tom Sullivan, Chief Counsel, Office of Advocacy, SBA; and public witnesses.

NATIONAL RAIL INFRASTRUCTURE FINANCING PROPOSALS

Committee on Transportation and Infrastructure: Subcommittee on Railroads held an oversight hearing on National Rail Infrastructure Financing Proposals. Testimony was heard from the following officials of the Department of Transportation: Allan Rutter, Administrator, Federal Railroad Administration; and Roger Nober, Chairman, Surface Transportation Board; Joseph Boardman, Commissioner, Department of Transportation, State of New York; and public witnesses.

VETERAN'S LEGISLATION

Committee on Veterans' Affairs: Ordered reported the following measures: H.R. 1516, as amended, National Cemetery Expansion Act of 2003; H.R. 2297, as amended, Veterans Benefits Act of 2003; H.R. 116, as amended, Veterans' New Fitzsimons Health Care Facilities Act of 2003; H.R. 1720, as amended, Veterans Health Care Facilities Capital Improvement

Act; H.R. 2357, as amended, to amend title 38, United States Code, to establish standards of access to care for veterans seeking health care from the Department of Veterans Affairs; H.R. 2433, as amended, Health Care for Veterans of Project 112/Project SHAD Act of 2003; H.R. 2595, to restore the operation of the Native American Veteran Housing Loan Program during fiscal year 2003 to the scope of that program as in effect on September 30, 2002; and H. Con. Res. 159, declaring Emporia, Kansas, to be the founding city of the Veterans Day holiday and recognizing the contributions of Alvin J. King and Representative Ed Rees to the enactment into law of the observance of Veterans Day.

PROJECT BIOSHIELD ACT

Select Committee on Homeland Security: Ordered reported, as amended, H.R. 2122, Project BioShield Act of 2003.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D713)

S. 342, to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act. Signed on June 25, 2003. (Public Law 108–36)

COMMITTEE MEETINGS FOR FRIDAY, JUNE 27, 2003 Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE 10:15 a.m., Friday, June 27

Next Meeting of the HOUSE OF REPRESENTATIVES 2 p.m., Monday, July 7

Senate Chamber

House Chamber

Program for Friday: Senate will be in a period of morning business.

Program for Monday: To be announced.



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